PATENT COOPERATION TREATY

PCT

TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P07426WO	FOR FURTHER ACTION	See Form PCT/IPEA/416		
International application No.	International filing date (day/month/			
PCT/EP2005/000471	19.01.2005	21.01.2004		
International Patent Classification (IPC) or nati	onal classification and IPC			
G01D5/16				
Applicant				
SIEMENS VDO AUTOMOTIV	<i>7</i> E			
This report is the international prelir under Article 35 and transmitted to th		d by this International Preliminary Examining Authority		
2. This REPORT consists of a total of	5 sheets	, including this cover sheet.		
3. This report is also accompanied by A	NNEXES, comprising:			
a. (sent to the applicant and	to the International Bureau) a total of	1 sheets, as follows:		
, , , , , , , , , , , , , , , , , , , ,		ave been amended and are the basis for this report and/or		
sheets containing red Instructions).	sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative			
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental			
	D 1 CC P			
b. (sent to the International)	Bureau only) a total of (indicate type a	nd number of electronic carrier(s))		
1,11,1,1		, containing a sequence listing and/or tables		
Section 802 of the Administ		he Supplemental Box Relating to Sequence Listing (see		
4. This report contains indications relation	ng to the following items:			
Box No. I Basis of the	report			
Box No. II Priority				
Box No. III Non-establi	shment of opinion with regard to nove	lty, inventive step and industrial applicability		
Box No. IV Lack of unit	y of invention			
DON TIO. I	atement under Article 35(2) with regal explanations supporting such statements	rd to novelty, inventive step or industrial applicability; ent		
Box No. VI Certain doc	uments cited			
Box No. VII Certain defe	ects in the international application			
Box No. VIII Certain obse	ervations on the international applicati	on		
Date of submission of the demand	Date of comple	etion of this report		
Name and mailing address of the IPEA/EP	Authorized of	icer		
_				
Facsimile No.	Telephone No.			

International application No.

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Box	No. I	[Basis of the report		
1.			I to the language, this report is based on the internation ander this item.	nal application in the language in	which it was filed, unless otherwise
			report is based on translations from the original langua n is the language of a translation furnished for the purp		,
			international search (Rule 12.3 and 23.1(b))		
		닏	publication of the international application (Rule 12.4)	
		Ш	international preliminary examination (Rule 55.2 and/	or 55.3)	
2.	rece		I to the elements of the international application, this office in response to an invitation under Article 14 are: :		
		the in	ternational application as originally filed/furnished		
	\boxtimes	the de	escription:		
		pages	1-3		as originally filed/furnished
		pages	*	received by this Authority on	
		pages	*	received by this Authority on	
	\boxtimes	the cl	aims:		
		nos.			as originally filed/furnished
		nos.*		as amended (togethe	er with any statement) under Article 19
		nos.*	1-5	received by this Authority on	24.11.2005 with letter of 22.11.2005
		nos.*		received by this Authority on	
	\boxtimes	the dr	rawings:		
		sheets	s <u>1/1</u>		as originally filed/furnished
		sheets			
		sheets			
		a sequ	uence listing and/or any related table(s) – see Supplem	ental Box Relating to Sequence L	isting.
3.		The a	mendments have resulted in the cancellation of:		
			the description, pages		
			the claims, nos.		
			the drawings, sheets/figs		
			the sequence listing (specify):		
			any table(s) related to sequence listing (specify):		
4.			report has been established as if (some of) the amend have been considered to go beyond the disclosure as fil		
			the description, pages		
			the claims, nos.		
			the drawings, sheets/figs		
			the sequence listing (specify):		
			any table(s) related to sequence listing (specify):		
*	If ite	ет 4 ар	plies, some or all of those sheets may be marked "supe	erseded."	

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Box		soned statement under Artions and explanations su	rticle 35(2) with regard to novelty, inventive step or industrial applicability; pporting such statement	
1.	Statement			
	Novelty (N)	Claims	1-5	YES
		Claims		NO
	Inventive step ((IS) Claims	1-5	YES
		Claims		NO
	Industrial appli	cability (IA) Claims	1-5	YES
		Claims		NO

- 2. Citations and explanations (Rule 70.7)
 - 1. Reference is made to the following documents:
 - D1: EP-A-1 150 094 (KABUSHIKI KAISHA TOKAI RIKA DENKI SEISAKUSHO) 31 October 2001 (2001-10-31);
 - D2: US-A-5 821 517 (VIEUX-ROCHAZ LIGNE ET AL) 13 October 1998 (1998-10-13).
 - 2. INDEPENDENT CLAIM 1
 - 2.1 Document D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (the references between parentheses apply to said document):
 - a device for determining the angular position of a rotary member relative to a holder (paragraph 0014), which device includes:
 - a magnetic flux generator that is connected to said rotary member (paragraph 0015), is shaped like a ring or a ring portion and includes alternate poles forming a series of magnets that generate magnetic fluxes in substantially parallel

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

directions (paragraphs 0016-0017); and

 a magnetoresistive sensor connected to said holder (paragraph 0019)

It follows that the subject matter of claim 1 differs from this known device in that said magnetic flux generator is cut out of a strip consisting of a series of constant-width lines that extend in a single direction and form said poles.

- 2.2 It follows that the subject matter of claim 1 is novel (PCT Article 33(2)).
- 2.3 The problem that the present invention is intended to solve can therefore be considered to be that of generating a magnetic flux using a ring-shaped magnetic flux generator, in such a way that the angle between said magnetic flux and a magnetoresistive sensor continuously varies depending on the angular position of a rotary member.
- 2.4 The solution to this problem, as proposed in claim 1 of the present application, is not found in the prior art and cannot be derived in an obvious manner therefrom. It follows that the subject matter of claim 1 involves an inventive step (PCT Article 33(3)).

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement
3.	DEPENDENT CLAIMS
	Claims 2-5 are dependent on claim 1 and, as such,
	therefore also fulfil the PCT requirements of
	novelty and inventive step.
4.	INDUSTRIAL APPLICABILITY
	The subject matter of claims 2-5 is industrially
	applicable in compliance with the requirements set
	forth in PCT Article 33(4).